

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

YOUNG AGAIN PRODUCTS, INC.,	§	
	§	
Judgment Creditor,	§	
	§	
VS.	§	MISC. ACTION NO. H-09-0282
	§	
JOHN ACORD, <i>et al.</i> ,	§	
	§	
Judgment Debtors.	§	

**ORDER**

This court has reviewed the Magistrate Judge’s Memorandum and Recommendation on the motion for contempt filed by the plaintiff, Young Again Products, Inc., against John Acord and Sean Ortega, (Docket Entry No. 112), and the motion filed by John Acord to dismiss the motion for contempt, (Docket Entry No. 138). This court has also reviewed the “exceptions and objections” John Acord filed in response to that Memorandum and Recommendation. (Docket Entry No. 178). The prior order of this court dated March 28, 2014 terminating the motion for contempt and the motion to dismiss the motion is vacated. The motions are instead resolved based on this court’s *de novo* determination of the Magistrate Judge’s Memorandum and Recommendation and of the objections and response. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989).

Based on the pleadings, the record, and the applicable law, this court adopts the Memorandum and Recommendation as this court’s Memorandum and Order. This court finds and concludes that the plaintiff’s motion for contempt be granted, in part, and the following sanctions imposed:

1. Against John Acord, (a) the sum of \$21,500.00, representing the fair market value of the Vanguard Automated Blister Machine; (b) attorney’s fees in the amount of \$7,034.75; and (c)


attorney's fees in the amount of \$7,698.00 (this third item payable jointly and severally with Sean Ortega);

2. Against Sean Ortega, (a) attorney's fees in the amount of \$277.50; and (b) attorney's fees in the amount of \$7,698.00 (this item payable jointly and severally with Sean Ortega);

The order that Sean Ortega provide a certified accounting is moot.

John Acord's motion to dismiss the motion for contempt is denied and his objections to the Memorandum and Recommendation are overruled as meritless.

SIGNED on April 21, 2014, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge